REMARKS

Claims 1-10, 12, 14-17, and 23-49 are currently pending. New claim 49 has been added to enhance the scope of patent coverage and is supported by page 11, lines 20-21, of the specification as filed. It is respectfully submitted that no new matter has been added.

The Patent Office rejected claims 1, 3-7, 9, 10, 12, 14, 16, 17, 23, 24, 26-28, 31-34, 36-40, 42-46, and 48 under 35 U.S.C. 103(as) as being unpatentable over Nagaoka, U.S. Published Patent Application No. 2002/0092024 in view of Syed, U.S. Patent No. 6,845,230.

Nagaoka discloses a method and a broadcast system for provision of a program enabling a large number of widely dispersed viewers to participate in the program while maintaining a real time feeling therein – see paragraphs [0006] and [0037]. The broadcasting system comprises a plurality of mobile phones 1A, 1B, ..., a broadcast station 2, a transaction management system (TMS) 3, a plurality of set top boxes (STBs) 4 and a mobile packet communication network 5 – see Figure 1 and [0036]. The TMS 3 receives data broadcast by the broadcast station 2 and converts it to a format of data that is displayed by the mobile phones 1 – see paragraphs [0047] and [0049]. The STB 4 also receives and displays the broadcast data – see [0044] and [0045]. The mobile phones 1 have memories which store sender Ids which are for identifying the mobile phones 1 in the mobile packet communication network 5, for participation in the program and for verifying users' identities effectively to prevent an identity theft – see [0053], [0084], [0087], [0092], and [0142]. From [0037], it can be seen that Nagaoka aims to enable users of the mobile phones 1 to participate in an auction program broadcast by station 2. Indeed, this is confirmed as the core of the disclosure of that document by [0057], [0140] and so on.

Considering the STB 4 of Nagaoka to be the digital broadcast receiver of claim 1 (as asserted by the Patent Office), Nagaoka does not disclose (as has been claimed) "sending to [the STB4] through a digital broadcast network message detection data that allows the [STB 4] to identify messages broadcast through said digital broadcast network with at least one individual address corresponding to the [STB 4]". Instead the STB 4 simply receives program data (including a program code), report information data (e.g., text indicating the current bid in a program) and electrical program guide data – see [0038], [0040].

Indeed, Nagaoka does not relate to "configuring a digital broadcast receiver" (as has been claimed) at all.

Furthermore, none of the data sent to the STB 4 in Nagaoka "is encrypted using a substantially unique key associated with [the STB 4]", as is required by claim 1. Indeed, none of the data seems to be signed at all, let alone with a key associated with the STB 4.

Still furthermore, none of the data sent to the STB 4 in Nagaoka comprises "identity data corresponding to an individual identification code stored in [the STB 4]", as is recited by claim 1.

The Patent Office has misstated the disclosure of Nagaoka. In particular, the Patent Office asserts that the storage in the mobile phones 1 of Nagaoka of a sender ID is applicable also to the set top box 4 (STB 4). This relates to the claimed "sending," "storing," and "message detection data" features of claim 1. However, this is incorrect.

In particular, the STB 4 of Nagaoka appears identical to all of the other STBs in the system. See, for example, paragraph 0036. The STB 4 receives signals broadcast by a broadcast station 2. However, the digital broadcast receiver does not have an address associated with it, and is unable to detect messages addressed to it. The mobile phone 1 can be addressed, but the mobile phone 1 and the STB 4 are entirely different. Indeed, they are unconnected parts of the system. There is not even any communication between the STB 4 and the mobile phone 1. Some information is displayed through the SJTB 4 and through the mobile phone 1 (see paragraph 0049), but there is where the similarity ends.

It is not reasonable to assert that what Nagaoka teaches in relation to the mobile phones is applicable also to the set top box. Consequently, the STB 4 of Nagaoka does not constitute the features of claim 1 alleged by the Patent Office to be constituted by the STB 4 of Nagaoka.

Additionally, the Patent Office asserts that Syed discloses "message detection data which is encrypted using a substantially unique key associated with the digital receiver." However, the passage referred to (i.e., the paragraph spanning columns 13 and 14) discloses only an encryption public key, and does not disclose "a substantially unique key associated with said digital receiver." Conversely, Syed does not relate to individually addressing broadcast receivers, so Syed does not need to provide a key substantially unique to a digital receiver. Instead, it would seem that the broadcast of a public key by the stem of Syed results in broadcasts being encrypted only be receivers which are authorized to receive broadcasts. The provision of a suitable key to those receivers would allow them to decode encrypted broadcasts but would prevent other receivers being able to decode encrypted broadcasts. However, Syed is silent as to how the

encryption keys are used. It is clear, however, that Syed does not disclose individually addressing broadcast receivers and so cannot disclose the "message detection data" feature found in claim 1.

As neither Nagaoka nor Syed discloses "configuring a digital broadcast receiver," Nagaoka and Syed do not make obvious claim 1. The other claims are patentable over Nagaoka and Syed for similar reasons.

The Patent Office rejected claims 2, 15, 25, 29, 30, 35, and 41 under 35 U.S.C. 103(a) as being unpatentable over Nagaoka in view of Syed, as applied to claims 1, 3-7, 9, 10, 12, 14, 16, 17, 23, 24, 26-28, 31-34, 36-40, 42-46, and 48, and further in view of Thornton, U.S. Published Patent Application No. 2003/0056220.

Claim 1 provides a digital broadcast receiver which is able to set up so as to receive broadcast messages (e.g., MMSs) which cannot also be received by other digital broadcast receivers. Thus, claim 1 is concerned with something entirely different than Nagaoka. It is not therefore seen that Nagaoka could reasonably be used to argue that claim 1 would be obvious to a person of ordinary skill in the art.

Syed does not disclose "configuring a digital broadcast receiver."

Thornton (U.S. published patent application no. 2003/0056220) concerns enabling users with independent terminal devices to share audiovisual content in the context of a communication session, shared software application, or common experience – see paragraph [0002]. Claim 1 is patentable over Thornton at least since Thornton does not disclose "configuring a digital broadcast receiver." Furthermore, although [0032] mentions broadcast, it is clear that Thornton does not even disclose a "digital broadcast receiver" in the sense as claimed.

For the reasons discussed above, none of claims 2, 15, 25, 29, 30, 35, and 41 are obvious in view of Nagaoka, Syed, and Thornton, alone or in combination.

The Patent Office rejected claims 8 and 47 under 35 U.S.C. 103(a) as being unpatentable over Nagaoka in view of Syed, as applied to claims 1, 3-7, 9, 10, 12, 14, 16, 17, 23, 24, 26-28, 31-34, 36-40, 42-46, and 48, and further in view of Mathis, U.S. Patent No. 6,993,327.

Mathis does not remedy the deficiency of Nagaoka. Mathis discloses (column 5, lines 28-35):

> Upon receiving one or more multicast addresses, each client device 102,

> 104, 106, 108 performs actions necessary, i.e., configures itself, to receive multicast traffic sent to these multicast addresses at Step 260. The preferred embodiment is based on IP Multicast and, thus, each client device 102, 104, 106, 108 sends an Internet Group Management Protocol ("IGMP") Join message to the first-hop router.

Mathis does not disclose how the client devices 102 are configured and does not disclose message detection data selected from the group comprising "message detection data which is encrypted using a substantially unique key associated with said digital broadcast receiver, and message detection data including identity data corresponding to an individual identification code stored in said digital broadcast receiver."

Thus, claims 8 and 47 are allowable over the prior art of record.

The Patent Office is respectfully requested to reconsider and remove the rejections of the claims 1-10, 12, 14-17, and 23-48 under 35 U.S.C. 103(a) based on Nagaoka, in view of Syed, and whether or not further in view Thornton and/or Mathis, and to allow all of the pending claims 1-10, 12, 14-17, and 23-49 as now presented for examination. An early notification of the allowability of claims 1-10, 12, 14-17, and 23-49 is earnestly solicited.

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